App F IX 4

Previous References

1948-49
(Mil)

File No 67-48

Serial Nos 85, 86

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

R 16-C

Part B for July '49

SUBJECT

Appeal petition of Sri P N Subba Rao, ~~Hotel~~ Hotel-keeper, Koratagere regarding disposal of Site Situated in the park near his house

To The D C Tumkur Dt
No L 564/D 14-7-49
Sanctions the Site at Rs 8/= p Sq yd

7767/Ad1

Appeal petition dated 5-4-89 from Sri P. N Subba Rao Hotel Keeper, Koratagere, against the order of the Dy Tahsildar Dist regarding the disposal of the site adjacent to his Hotel at the place

1) Order of the Minister for LSG

A report from the Dy with the connected records may be called for.

(Ind) Re
6/4/89

2) Draft letter to the Dy Tahsildar Dist forwarding the petition for a report, is put up for approval An endorsement to the party is also put up for signature

Asp
13/4/89

By
13/4/89

3) Issue

14/4/89

To
The Dy Tahsildar Dist
L1150-7 of 19-4-89
with a report

Sri N
9/5/89

Appeal petition of Sn P N Subhamma
Hotel keeper Kothagere reg disposal
of site near his hotel

7747/mel
8960/mel

From

The Dt Tumkur
AD 3176/LRS reg dt 18-5-49
, Submits his report in the matter

4) The Dt Tumkur
reports that the Kothakagere
Minor Mkt resolved on 29-9-48 -)lg Q
that the land measuring 15'x60'
be granted at Rs 4/- per sq yd
to Sn P N Subhamma

5) There was a strong
protest against the decision
of the Mkt regarding the grant
of the land in question

6) After receiving the
Objections, the Mkt resolved
again on 21-10-48 that the grant of land R
to Sn P N Subhamma at Rs 4/- per sq yd
the land granted

General and Revenue Secretariat

Appeal petn of [illegible] Subhanna, Hotel Keeper Kumbakkam re the disposal of the site near his Hotel File No [illegible] of 194

Serial No

77(c)/mf
80/mf

in reasonable

7) The DC Tumkur dist, Considering the objections received, ordered that the disposal of the land in the park may be stayed, pending inspection by him

8) Accordingly the place was inspected by the DC and he the Site granted forms a part of the Park and is of the opinion that no part of the park should be disposed of to private persons, as the said park is also situated in a prominent part of the Town

9) The DC further states that the park and it insists on forming sites in the park and if they are disposed of by public auction, the sites will fetch more than Rs 1/0 per Sq yd

10) In the circumstances stated by the DC the opinion of the DC regarding the preservation of the public park as it is may perhaps be accepted

11) Submitted for orders

Amp 2/6/48 12) The Deputy Commissioner is against the grant of this piece of land to Sri PV Subba Rao for the reason that it is in an important locality

Note—Contn Sheet

5

Appeal petition of Sri P.V. Subba Rao, Hotel-Keeper, Kovalapura, re the disposal of a piece of land

7747/8960 — File No — of 194 — General and Revenue Secretariat

Serial No

Where there are public buildings and the land is in addition actually a part of the land grounds of the town (a plan is furnished) and a dwelling house on the place would not be desirable. He also thinks that the price charged is also low. Considering the importance of the locality

Bn 3149 (1) Memorandum of the D.C. Kurnool may be accepted and an endorsement issued to the petitioner Sri P.V. Subbarao in respect that the Govt. see no reason to interfere with the decision of the D.C. and the subject for order of Govt. upon

Secretary 5/6/45

SECRETARY TO GOVT. No D 1 6/6 GENERAL DEPARTMENT

2/6/6/45

Minister (V.S.)

I inspected the spot on 4th May 45 along with the D.C. It is true as stated by the D.C. that the well ought not to have been sunk for the construction of the house in that place. But no body objected at that time with the result the house has been constructed. The Govt. have

OFFICE OF THE MINISTER FOR LOCAL SELF GOVERNMENT No 6239 Date 7/6/45

WD 01853—3PB—50 000—11 5 48

C F 691

Continuation Sheet

6239/1-3-P

File No / Current No

of

Page

8960/ml

have further extended on a subsequent date that the adjacent land measuring about 15×60 ft ~~sold~~ applied for by the petitioner may be given at as 4/- per square yard since this would have been confirmed but for an objection petition filed by some others praying for the same site. the spot now asked for through comes within the park, is situated at a corner of the park therefore it may be given to the applicants as assessed by the Md el. It is not desirable to dispose of this site to any others as it is adjacent to the present building. Both the price fixed by the Md el is too low when compared to the value of the site as stated by the D e therefore the site now proposed measuring about 15×60 ft may be disposed of ~~in~~ favour of Sri P V Subba Rao, Hotel keeper at Rs 8/- per square yard. It must be clearly intimated to the party that no more site in this park should be disposed of.

Dr
4/2/49

Draft letter is put up for approval

Approved
4/2/49 Dr

Issued
7/2/49

WD 04787—GPB—2500—25 9 46

Continuation Sheet | File No / Current No 8960/M1 | of | Page

To

The DC Tumkur Dist-wise

L 564/M1 67-68-86 dt 14-Aug

Sanction the site at Rs 8/- P Sq yd

B

20/Aug

COURT FEE TWO RUPEES

Office of the Minister
Local Self Government
2446
8/4/49

Before the Government of His Highness the Maharaja
of Mysore

Municipal Appeal No /48-49

Appellant - P N Subba Rao Hotel keeper
Koratagere

Vs

Respondent - Municipal Council Koratagere

Stamp
Copy of the order appealed against has not been filed
A report from the DC with the connected records may be called for
Gen. Sec

UNDER SEC 450 of Minor Municipal Regulation, appellant begs to prefer the appeal against the decision of the Deputy Commissioner who has in his order dated 11-3-49 in A 6 C 418/48-49 decided that a site in Koratagere measuring 16 ft East West and 60 North South may not be disposed off

Grounds of appeal

1) The Minor Municipal Council Koratagere has resolved that the site in question is a municipal land may be given to the appellant at the rate of Rs 4/- a xxx square yard on 29-9-1948 in the Municipal meeting That resolution is to be upheld by the Deputy Commissioner cannot be set aside This order is not according to law

2) The question that lay before the Deputy Commissioner was not as to the desirability of disposing of the site but was on a question whether a rival applicant is to be given that site

6/4/49

site or the ~~xxxx~~ sale confirmed in the name of the appellant But the decision is otherwise by the Deputy Commissioner

3) The Deputy Commissioner has failed to notice that the site is a ~~keen~~ necessity to this appellant who has put up a Hotel just by the side 15 feet of land East West would not affect the Park in any manner Afterall the place ~~lot~~ that is set apart for the Park is rarely used by the Public nor is there any damage to ~~regular~~ Park or it look It will be causing inconvenience to the appellant if this space is not given to him for constructing his residence

4) Pray that the order of the Deputy Commissioner may ~~xxxx~~ be kindly reversed and the decision of the Municipal Council be ordered to be given effect to

5) Order copy will be furnished after it is received Endorsements issued are enclosed herewith

5 4 49
Bangalore

Appellant

I declare that what is contained above is true to the best of my information knowledge & belief

Bangalore
5-4 49

Appellant on behalf of Sri

No 2

L1195-2
19/4/49

To

The ve Tahsildar
Gudr

Subj Appeal petition of Sri
P N Subbarao, Hotel Keeper
Kovvadasee reg the disposal
of the site near his Oddend Hotel

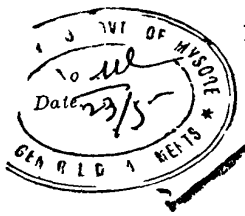
Sir,

I am directed to forward
herewith in original the petition dated 5-4-49
presented by Sri P N Subbarao, Kovvadasee, with its enclosures
the above subject, and to report
that the report therein may be called for in the matter
and along with the connected records
may be sent to Govt

No A 6 3176/48-49
Enc 1 file

Mh. 67-48-85

Office of the Deputy Commissioner,
Tumkur District
Dated, Tumkur, the 18th May'49



From

The Deputy Commissioner,
Tumkur District, Tumkur

To

The Secretary to Govt of Mysore,
General Department, Bangalore

Subject -

Appeal petition of Sri P N Subba Rao hotel-keeper Koratagere re the disposal of the site near his hotel
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Sir,

With reference to your letter No - 11956 dated 15th April 1949 calling for a report on the appeal petition of Sri P N Subba Rao, Hotel-keeper, Koratagere on the above subject, I have the honor to forward herewith the entire file of records received from the President, Minor Municipal Council, Koratagere with his letter No H C 29/48-49 dated 1-5-1949 and to state that Sri P.N Subba Rao Proprietor, Sri Krishna Bhavan Koratagere, applied to the President, Municipal Council, Koratagere on 16-8-1948, praying for grant of a site measuring 15x60 Sqr feet adjacent to his house at an upset price He has further requested in his application dated 29-9-1948 that the site be granted to him at Rs 3/- per square yard

The Municipal Council at their meeting held on 29-9-48 resolved that the land measuring 15x60 Sq feet be granted at Rs 4/- per square yard to Sri P N Subba Rao as he has no - dwelling house

Petitions were received from Sri Y S Shivanna and the residents of Koratagere town, against the grant of land situated in the park Reports were called for from the President Municipal Council, Koratagere in the matter

The Municipal Council again at their meeting held on 21-10-1948 resolved that the land granted was reasonable and was

thereo

no site should be formed in the park other than the one proposed to be granted to Sri P N Subba Rao

On perusal of the records received from the President instructions were issued to the President Municipal Council Koratagere not to dispose of the site to any body pending orders of this office after inspecting the spot A comprehensive sketch was called for from the President

The sketch received from the President disclosed that the spot measuring 15x60 sqr feet proposed to be disposed of to Sri P N Subba Rao formed part of the park The Presidant also reported that the site was part of the park as originally formed I also inspected the spot The proposed site is in the close neighbourhood of public buildings By the side of the site, the applicant has got his hotel buildings He wanted this site for building a dwelling house It is most undesirable that there should be allowed a dwelling house in the close proximity to public buildings Considering all the aspects of the case, I came to the conclusion that no part of the park should be disposed of to private persons as the said park is also situated in a prominent part of the town It is very unfortunate that the Municipality should have disposed of a year ago a site adjoining the park to the applicant and he has built and is running a hotel in the said site This act of the Municipality done for the sake of a few rupees has spoiled the locality and restful and peaceful nature ~~of the locality~~ and it will be still worse if the portion of the park is now given away adjoining to it for a dwelling house I am afraid that the disposal of the site under reference may lead to the further disposal of the -

remaining

remaining portion of the park on account of its prominent situation In connection with this case, one of the Municipal Councillors tendered his resignation to this office when instructed to present it to the President, he did not do so If it is the intention of the Municipality to dispose of any portion of the park from the financial point of view they can get more money, if they were to form a little bigger site and sell it in public auction in which case it will fetch more than Rs 10/- per square yard as there is keen demand for sites particularly in this prominent place In this view the upset price of Rs 4/- per square yard proposed to be charged for the site is too small In these circumstances the President was advised not to dispose of any portion of this public place of this municipal park The President has done so accordingl

Yours faithfully

Deputy Commissioner,
Tumkur District

Ad 18/5

No L 564/—

Revised To Mrs. 67-48-86

The Mr Tumkur 14/9/49

Subj: Appeal petn of Sri P N Subba Rao, Hotel Keeper, Komtasere ~~situated~~ in the Park reg disposal of site near his house

Sir, With reference to your letter No Ab 3176/48 dtd 18-5-49 on the above subject, I am directed to state that the site measuring 15'x60' sq ft situated in the park as proposed by the Komtasere Minor Rd may be disposed of to Sri P N Subba Rao, Hotel Keeper Komtasere ~~but as the price proposed to be charged is low, the site may be given to him at a price of Rs 8/-~~ at Rs 8/- per sq yd. The pdt Komtasere ~~Hon Secy~~ Hemavathi CC may be intimated definitely that ~~more portion of the park~~ no site should be disposed of

LS-64/RL 62-48-81
14/7/49

The Deputy Commissioner,
Tumkur District

SUB Appeal petition of Sri P N Subba Rao, Hotel-keeper, Koratagere regarding disposal of site situated in the Park near his house

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Sir,

With reference to your letter No A6 3176/48-49 dated 18th May 1949 on the above subject, I am directed to state that the site measuring 15' x 60' sq-ft situated in the Park as proposed by the Koratagere Minor Municipal Council may be disposed of to Sri P N Subba Rao, Hotel-keeper, Koratagere, but as the price proposed to be charged is low, the site may be given to him at a price of Rs 8/- per sq yd The President, Koratagere Minor Municipal Council may be intimated definitely that no more portion should be disposed of ~~in~~ out of the Park in future

Records accompany

Yours faithfully,

for General Secretary to Government